

Town of Arlington

730 Massachusetts Ave, Arlington, MA 02476 | 781-316-3000 | arlingtonma.gov

ARTICLE 1

REPORTS OF BOARDS AND COMMITTEES

To receive, hear, and act upon the reports of boards, committees, and commissions; or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 2

ZONING BYLAW AMENDMENT/ MEDICAL AND RECREATIONAL MARIJUANA ESTABLISHMENTS

To see if the Town will vote to amend the Zoning Bylaw to address Medical and Recreational Marijuana Establishments by: amending existing SECTION 2 DEFINITIONS “Medical Marijuana Treatment Center” and “Recreational Marijuana Establishments”; amending SECTION 3.4 ENVIRONMENTAL DESIGN REVIEW to include Recreational Marijuana Establishments as required to obtain an Environmental Design Review Special Permit; amending SECTION 5 DISTRICT REGULATIONS to create new use categories for Marijuana Establishments and amend existing use categories for Medical Marijuana Treatment Centers and to allow Recreational Marijuana Establishments and Medical Marijuana Treatment Centers in Business and Industrial zones; amending SECTION 8 SPECIAL REGULATIONS to remove the Temporary Moratorium on Recreational Marijuana Establishments and create a new section on marijuana uses; or take any action related thereto

(Inserted at the request of the Arlington Redevelopment Board)

ARTICLE 3

ACCEPTANCE/ LOCAL OPTION: RECREATIONAL MARIJUANA EXCISE TAX

To see if the Town will vote to accept M.G.L. c. 64N Section 3, as recently amended by Section 13 of Chapter 55 of the Acts of 2017, and impose a local sales tax upon the sale of recreational marijuana originating within the Town by a vendor at a rate of up to 3% of the gross receipts of the vendor from the sale of recreational marijuana, marijuana products, and marijuana edibles, said excise to take effect on the first day of the calendar quarter commencing at least thirty days after such vote of Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 4

BYLAW AMENDMENT/ LGBTQIA+ RAINBOW COMMISSION MEMBERSHIP

To see if the Town will vote to amend Title II, Article 13 of the Town Bylaws by changing the number of members appointed to the Rainbow Commission from seven to between seven and nine; to specify the length of their terms as well as the manner of such

appointments and reappointments; and/or to set forth the quorum requirements for the Commission; or take any action related thereto.

(Inserted at the request of the Town Manager & the LGBTQIA+ Rainbow Commission)

ARTICLE 5

BYLAW AMENDMENT/CERTAIN PERSONNEL

To see if the Town Meeting will vote to amend Title I of the Town Bylaws for all Articles that include the Treasurer & Collector of Taxes, Comptroller or Town Clerk to reflect approved and pending changes to the appointment of those offices; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 6

ENDORSEMENT/ THE JOHN J. BILAFER ARLINGTON CITIZENS' SCHOLARSHIP FUND – DOLLARS FOR SCHOLARS

To see if the Town Meeting will form a committee to review Title II, Article 1 of the Town Bylaws, "The John J. Bilafer Arlington Citizens' Scholarship Fund – Dollars for Scholars," and make recommendations to the 2019 Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 7

CAPITAL BUDGET/ DPW YARD

To see if the Town will vote to appropriate a sum of money for remodeling, reconstructing, or making extraordinary repairs to the DPW Yard and associated buildings, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair, and determine whether such appropriations shall be raised by taxation, transferred from available funds, borrowed or provided by any combination of the foregoing; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 8

COLLECTIVE BARGAINING

To see if the Town will vote to fund any fiscal items in the event that any are contained in collective bargaining agreements between the Town and the following named collective bargaining units, and to fund for non-union, M Schedule, and elected officials' salaries or fringe benefits, determine how the money shall be raised and expended; or take any action related thereto:

- A. Local 680, American Federation of State, County and Municipal Employees;
- B. Service Employees International Union;
- C. Arlington Police Patrol Officers' Association;
- D. Arlington Ranking Police Officers' Association;
- E. M Schedule and non-union employees;and

F. Full-time elected officials.

(Inserted at the request of the Town Manager)

ARTICLE 2

Amendment to Arlington Redevelopment Board's recommended vote under Article 2

I move that there be inserted in Section B (1), after the first sentence thereof, the following new sentence "Nor shall they be permitted within 500 feet of any pre-existing day care facility, or the office of a pediatrician." so that said section will read as follows:
"Pursuant to 935 CMR 500.110. Marijuana Establishments shall not be permitted within 500 feet of a pre-existing public or private school providing education in kindergarten or in any of grades one through 12. Nor shall they be permitted within 500 feet of any pre-existing day care facility or office of a pediatrician. This standard also applies to Medical Marijuana Treatment Centers not already permitted by the date of this bylaw."

Requested by John L. Worden, III, Town Meeting Member, Pct.8



Town of Arlington, Massachusetts

ARTICLE 2

Warrant Article Title:

ZONING BYLAW AMENDMENT/ MEDICAL AND RECREATIONAL MARIJUANA ESTABLISHMENTS

Summary:

To see if the Town will vote to amend the Zoning Bylaw to address Medical and Recreational Marijuana Establishments by: amending existing SECTION 2 DEFINITIONS "Medical Marijuana Treatment Center" and "Recreational Marijuana Establishments"; amending SECTION 3.4 ENVIRONMENTAL DESIGN REVIEW to include Recreational Marijuana Establishments as required to obtain an Environmental Design Review Special Permit; amending SECTION 5 DISTRICT REGULATIONS to create new use categories for Marijuana Establishments and amend existing use categories for Medical Marijuana Treatment Centers and to allow Recreational Marijuana Establishments and Medical Marijuana Treatment Centers in Business and Industrial zones; amending SECTION 8 SPECIAL REGULATIONS to remove the Temporary Moratorium on Recreational Marijuana Establishments and create a new section on marijuana uses; or take any action related thereto

Requested by:

(Inserted at the request of the Arlington Redevelopment Board)

Voting:

All three motions to amend failed

Vote for Article 2 passed as proposed: Affirmative: 177; Negative-20

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Gersh_MotionToAmend_Article2_11272018.pdf	Motion to amend Article 2-Jon Gersh
▣ Reference Material	Reynolds_Amendment_to_STM_Art._2_(1).pdf	Motion to Amend Article No. 2-Lisa Reynolds
▣ Reference Material	Worden_Art._2_amendt._rev_d_12-4-18_V2.pdf	Motion to Amend Article No. 2-John Worden

Arlington Special Town Meeting — Motion to Amend

ARTICLE NO. 2

Dated: November 27, 2018

I, Jon Gersh, do hereby submit the following Motion to Amend Article 2:

VOTED:

That sections 8.3.B.3 and 8.3.C. of the Main Motion of the Arlington Redevelopment Board be stricken.

Signed:



Jon Gersh,
Town Meeting Member
Precinct 18,

Date Voted: _____

Action Taken: _____

Arlington Special Town Meeting — Motion to Amend

ARTICLE NO. 2

Dated: December 4, 2018

I, Lisa Reynolds, do hereby submit the following Motion to Amend Article 2 :

VOTED:

That the Main Motion of the Arlington Redevelopment Board be amended to prohibit Marijuana Retailers in any zoning district except the Industrial Zone, by striking the term “SP” from table 5.5.3 for the Marijuana Retailer Class of Use, so to read as follows:

Amend SECTION 5 DISTRICT REGULATIONS, to create new use categories for Marijuana Establishments and amend existing use categories for Medical Marijuana Treatment Centers:

Amend table in Section 5.5.3:

Class of Use	B1	B2	B2A	B3	B4	B5
Retail						
<u>Marijuana Retailer</u>			<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>
Research, Laboratory, Related Uses						
<u>Marijuana Research and Testing Facility</u>			<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>
Light Industry						
<u>Marijuana Production Facility</u>					<u>SP</u>	
Other Principal Uses						
<u>Medical Marijuana Treatment Center</u>			<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>

Amend table in Section 5.6.3:

Class of Use	MU	PUD	I	T	OS
Retail					
<u>Marijuana Retailer</u>			<u>SP</u>		
Research, Laboratory, Related Uses					
<u>Marijuana Research and Testing Facility</u>			<u>SP</u>		
Light Industry					
<u>Marijuana Production Facility</u>			<u>SP</u>		
Other Principal Uses					
<u>Medical Marijuana Treatment Center</u>			<u>SP</u>		

Signed:

Lisa Reynolds, Precinct 6

Date Voted:_____

Action Taken:_____

ARLINGTON TOWN MEETING

Special Town Meeting of December 5, 2018

Amendment to Arlington Redevelopment Board's recommended vote under Article 2

I move that there be inserted in Section B (1), after the first sentence thereof, the following new sentence "Nor shall they be permitted with 500 feet of any pre-existing day care facility, or the office of a pediatrician." so that said section will read as follows:

"Pursuant to 935 CMR 500.110. Marijuana Establishments shall not be permitted within 500 feet of a pre-existing public or private school providing education in kindergarten or in any of grades one through 12. Nor shall they be permitted with 500 feet of any pre-existing day care facility or office of a pediatrician. This standard also applies to Medical Marijuana Treatment Centers not already permitted by the date of this bylaw."

Respectfully submitted

John L. Worden III
Town Meeting Member, Pct. 8

December 5, 2018



Town of Arlington, Massachusetts

ARTICLE 2

Warrant Article Title:

Amendment to Arlington Redevelopment Board's recommended vote under Article 2

Summary:

I move that there be inserted in Section B (1), after the first sentence thereof, the following new sentence "Nor shall they be permitted within 500 feet of any pre-existing day care facility, or the office of a pediatrician." so that said section will read as follows:

"Pursuant to 935 CMR 500.110. Marijuana Establishments shall not be permitted within 500 feet of a pre-existing public or private school providing education in kindergarten or in any of grades one through 12. Nor shall they be permitted within 500 feet of any pre-existing day care facility or office of a pediatrician. This standard also applies to Medical Marijuana Treatment Centers not already permitted by the date of this bylaw."

Requested by:

Requested by John L. Worden,III, Town Meeting Member, Pct.8